

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STATE FARM FIRE & CASUALTY COMPANY :
As subrogee of ROBERT and PATRICIA ROEHM : CIVIL ACTION
:
V. : NO. 02-CV-4019
:
ELECTROLUX and LOWE'S HOME :
CENTERS, INC. :

O R D E R

AND NOW, to wit, this , 2002, upon consideration of Defendant, Lowe's Home Center, Inc.'s Motion to Compel Answers to Discovery Requests and any responses thereto, it is hereby ORDERED and DECREED that plaintiff shall provide answers to defendant's discovery requests within fifteen (15) days of the date of this ORDER, or suffer sanctions as deemed appropriate by the Court.

BY THE COURT:

J.

Arbitration Date:

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***DEFENDANT, LOWE'S HOME CENTERS, INC.'S MOTION TO COMPEL
PLAINTIFF'S RESPONSES TO DISCOVERY REQUESTS***

1. On or about March 13, 2002, defendant served upon plaintiff's counsel Expert Interrogatories, Property Damage Interrogatories and a Request for Production of Documents.
2. As of the filing of this Motion, plaintiff has failed to provide defendant with responses to the aforementioned discovery requests.
3. Without the benefit of plaintiff's discovery responses, counsel for defendant herein is unable to conduct additional discovery, fully evaluate this matter and/or otherwise prepare for the trial of this matter.
4. Accordingly, defendant requests this Honorable Court to compel plaintiff to provide responses to the aforementioned outstanding discovery requests.

WHEREFORE, moving defendant respectfully requeststhat this Honorable Court enter an Order requiring plaintiff to provide answers to defendant's discovery requests within fifteen (15) days of the issuance of the Order or suffer appropriate sanctions.

MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN

BY: _____
JACQUELINE H. CANTER, ESQ.
LAURIANNE FALCONE, ESQ.
1845 Walnut Street
Philadelphia, PA 19103
(215) 575-2805

Attorney for Defendant,
Lowe's Home Centers, Inc.

Date: October 16, 2002

VERIFICATION

The undersigned counsel does hereby verify and state that she is the attorney of record for defendant and that the facts set forth in the foregoing Motion to Compel are true and correct to the best of her knowledge, information and belief; and the statements herein made are subject to the provisions of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

JACQUELINE H. CANTER, ESQ.

CERTIFICATE OF SERVICE

I, Jacqueline H. Canter, Esquire, do hereby certify that a true and correct copy of Defendant's Motion to Compel Plaintiff's Answers to Discovery Requests was served upon all parties by first class mail on October 16, 2002 to the following addressees:

Norman W. Briggs, Esq.
FREY, PETRAKIS, DEEB, BLUM, BRIGGS & MITTS
1601 Market Street
6th Floor
Philadelphia, PA 19103

Respectfully submitted,

JACQUELINE H. CANTER

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ATTORNEY CERTIFICATION OF GOOD FAITH

I, Jacqueline H. Canter, Esquire hereby certify that I have made repeated attempts to resolve the discovery dispute which forms the basis of the within Motion to Compel.

MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN

BY: _____
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Attorney for Defendant,
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